

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

HITLER CALLE, *individually and on behalf of
others similarly situated,*

Plaintiff,

-against-

PIZZA PALACE CAFÉ LLC (D/B/A PIZZA
PALACE, SASHA ISHAQOV, YURI
ISHAQOV, and VLADY DJOURAEV,

Defendants.

Case No. 20-cv-4178

**AFFIRMATION OF MICHAEL
FAILLACE IN SUPPORT OF
REQUEST FOR CERTIFICATES OF
DEFAULT**

MICHAEL FAILLACE, an attorney duly admitted to practice law before this Court,
hereby declares under the penalty of perjury:

1. I am counsel for Plaintiff in this matter, and I am fully familiar with the facts herein.
I submit this declaration in support of plaintiff's request for entry of default.

2. This action was commenced on September 8, 2020, by the filing of the Complaint
(D.E. 1), pursuant to the Fair Labor Standards Act of 1938, 29 U.S.C. § 201 *et seq.* ("FLSA"), and
for violations of the N.Y. Labor Law §§ 190 *et seq.* and 650 *et seq.* (the "NYLL"), including
applicable liquidated damages, interest, attorneys' fees and costs.

3. A First Amended Complaint was filed on December 22, 2021.

4. The time for defendants Pizza Palace Café, LLC, Sasha Ishaqov, Yuri Ishaqov, and
Vlady DjouraeV to answer or otherwise move with respect to the complaint herein has expired.

5. Defendants Pizza Palace Café, LLC, Sasha Ishaqov, Yuri Ishaqov, and Vlady
DjouraeV have not answered or otherwise moved with respect to the complaint, and the time for

defendants Pizza Palace Café, LLC, Sasha Ishaqov, Yuri Ishaqov, and Vlady Djouraev to answer or otherwise move has not been extended.

6. Defendants Sasha Ishaqov, Yuri Ishaqov, and Vlady Djouraev Julio Cuenca is not presently in the military service of the United States as appears from facts in this litigation.

7. WHEREFORE, Plaintiff requests that the default of Defendants Pizza Palace Café, LLC, Sasha Ishaqov, Yuri Ishaqov, and Vlady Djouraev, be noted and certificates of default issued.

8. I declare under penalty of perjury that the foregoing is true and accurate to the best of my knowledge, information and belief, that the amount claimed is justly due to plaintiff, and that no part thereof has been paid.

Executed on: April 30, 2021

/s/ Michael Faillace
Michael Faillace, Esq.
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